

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, OCTOBER 11, 2017

I. CALL TO ORDER

- Mayor Miller called the meeting to order at 6:00PM. Council members in attendance: West, Ladwig, Miller, Baker, Rotwein.
- City Staff in attendance: City Manager Dan Berman, City Clerk Gabriel Adams.

II. PLEDGE OF ALLEGIANCE

III. ADJOURN TO CLOSED SESSION

1. *Public Employee Performance Evaluation for City Manager Pursuant to Government Code Section 54957*
2. *Conference with legal counsel regarding active litigation. Tsurai Ancestral Society vs. City of Trinidad. Pursuant to California Government Code section 54956.9 (a)*

IV. RECONVENE TO OPEN SESSION & CLOSED SESSION REPORT – *Nothing to report.*

V. APPROVAL OF AGENDA

Motion (Rotwein/Baker) to approve the agenda as written. Passed unanimously.

VI. APPROVAL OF MINUTES – *No minutes to approve.*

VII. COUNCIL REPORTS

- Ladwig:** Will be sending out an official notice to recruit volunteers to participate in drafting the draft noise ordinance related to Town Hall events.
- Baker:** RREDC, discussed aquaculture in and around Humboldt Bay.
- West:** Tsurai Management Meeting, discussed Wagner Street Trail improvements and protections for the Tsurai Village site.
- Miller:** RCEA meeting, discussed PG&E, Offshore wind energy production, and Community Choice Power program.
- Rotwein:** Regarding personnel evaluations, job descriptions for City Staff are inadequate, benefits are comparable to other cities. I will be bringing back an agenda item that recommends immediately adding 3 columns to existing salary grid for topped out employees at 2% increments, but reconsidering 100% dependent health coverage. Regarding Emergency Services, Wildfire planning, air quality issues. October 19 is the Great American Shakeout. October 18 is Tsunami Siren test. Would like to have an agenda item in November to elevate the siren. Blessing of the Fleet on Thanksgiving.

City Manager Berman highlighted various staff activities; Groundwater monitors have been installed at 8 points along Edwards Street with quarterly data collection. Stormwater report underway, required for discharge permit. PGE reliability trimming underway. Ocean Ave. encroachment removal projects underway. Status of OPC grant is that the original bids were rejected, and the project is being bid in smaller segments.

VII b. PROCLAMATIONS/RECOGNITIONS

1. Proclamation in support of the Great American Smokeout
2. Resolution 2017-15: Honoring Chi-Wei Lin's service to the City of Trinidad

Mayor Miller read the Proclamation and Resolution.

Motion (Rotwein/Baker) to approve the proclamation recognizing the Odom's. Passed unanimously.

VIII. ITEMS FROM THE FLOOR

Alan Grau – Trinidad

Complaint about neighbor's fireplace and suggested the Council should ban or regulate fireplaces in Trinidad. Also complained that the City Manager is not in touch with the City's needs, and cited various complaint examples he felt were not being addressed.

Leah ? – Trinidad

Asked the City Council to prioritize the Playgroup program. Explained how the program works, the benefits, and asked that this be done in a timely manner.

Ben Morehead – Trinidad Coastal Land Trust

Houda Point property - design underway to install a proper bathroom facility and picnic tables at the site. Luffenholtz is State Park with County management, but the Land Trust may be stepping in as a steward. Also, continue pursuing the Land Trust as a possible community recipient of Occupancy Tax income. Wants the City to consider allowing playground facilities at Saunders Park and resolutions supporting Strawberry Rock & Little River Trails. Lastly, would like to show support for City Manager Dan Berman who has done a great job for the City.

Leslie Farrar – Trinidad

Complained about commercial water delivery company taking water from hydrants, and complained about commercial vehicles traveling on Ocean Avenue – specifically the UPS semi-truck.

Richard Johnson – Trinidad Area Resident

Thanked the Council for the Resolution supporting Chi-Wei Lin. Daughter Angela Lin is donating over 100 pieces of art painted by Donna and Chi-Wei for the fundraiser supporting the Lighthouse scheduled for November 04.

Dorothy Cox – Trinidad

What parts of the STR Ordinance went into affect on June 06? Complained about how long it's taken to hear the significant violation appeal, claiming it is a disservice to the community. Also complained about sloppy language in the STR Ordinance.

Written Comments Submitted:

Kathleen Lake – Trinidad

Submitted a two page letter complaining about the Volunteer Fire Department training reimbursement process, and complaining about the outcome of a complaint submitted last year that wasn't resolved to her satisfaction.

IX. CONSENT AGENDA

1. Financial Status Report for August 2017
2. Staff Activity Report for September 2017
3. Approval of ADA Town Hall Door Work
4. Resolution 2017-14: Approving Local Streets and Roads Project List.

*Motion (Rotwein/West) to pull #4 for question/discussion. **Passed unanimously.***
*Motion (Rotwein/West) to approve the Consent Agenda. **Passed unanimously.***

X. DISCUSSION/ACTION AGENDA:

1. Annual Unmet Transit Needs Hearing
City Manager Berman explained that each year HCAOG conducts citizen participation process to assess unmet transit needs within Humboldt County. The public is invited during this hearing to express their opinion, solutions, complaints, or suggestions regarding Humboldt County's public transportation systems and/or general unmet transit needs.

Public comments included:

Ben Morehead – Trinidad Coastal Land Trust

Asked for support of the City and County for the Little River Trail proposal – an unmet need for pedestrian and bicyclists along 101 connecting Scenic Drive to the Hammond Trail safely.

Richard Johnson – Trinidad

Introduced HTA Director Consuelo Espinoza who's job it is to help make the unmet transportation needs of Humboldt County known.

Councilmember Rotwein – Trinidad

Supports as many, frequent bus service stops in Trinidad as possible.

Comments will be forwarded to HCAOG.

2. Discussion and First Reading of the Trinidad Cannabis Ordinance.

City Manager Berman explained that this ordinance builds on the one introduced on September 27, and will prohibit all commercial cannabis activity, and all outdoor cannabis cultivation, within the City. It sets forth a permit process to allow limited indoor cannabis cultivation for personal use, as required under current state law. This is the most the City can do to limit Cannabis businesses and personal cultivation under current state law.

Changes since the last Meeting

- The Findings have been expanded to provide further detail on the reasoning behind the Ordinance
- The Applicability and Interpretation Section has been added
- Sections 7 and 8, providing detailed regulations and permitting for indoor cultivation, have been added.
- The City of Blue Lake's Ordinance was the template for these sections, and they are very similar.
- The Enforcement section has been expanded (and renamed from 'Violations' in the prior draft)

Ordinance Implementation.

Enforcement of the prohibitions in this Ordinance will be a law enforcement issue best addressed by the Humboldt County Sheriff's Office. The review of applications, required inspections, and issuance of permits for indoor cultivation will be primarily the responsibility of the Building Inspector. The City Planner and City Manager will review permits prior to issuance. Staff will work with the Building Inspector to create a permit application form and a permit review checklist. Staff will return to Council with a recommendation for an appropriate permit fee, which will be set to recover the costs involved in permit issuance. Staff will track actual costs for these permits and the council can adjust this fee going forward as needed by resolution.

Process and Remaining Details

The Council can make changes to the current draft Ordinance by direction to staff at this meeting, prior to the first reading. If changes desired by the Council become too significant to track the exact language carefully, or require additional research and review to create final Ordinance text, it will be necessary to hold off on the first reading of the Ordinance to our next meeting to be sure we have the Ordinance correct.

When does it take effect? -

A second reading and final adoption can be held at the regular meeting of November 8th. No changes, except minor editorial corrections, can be made between the first and second reading. The Ordinance will take effect 30 days from the second reading and adoption.

There was no public comment.

Council comments included:

West: Very happy with changes incorporated.

*Motion (Rotwein/Ladwig) to waive the reading of the Ordinance text in full, and conduct the first reading of the final Ordinance by its title, 'Ordinance 2017-01, An Ordinance of the City of Trinidad Prohibiting Commercial Cannabis Activities and Regulating Cannabis Cultivation for Personal Use'. **Passed unanimously.***

Second reading scheduled for November 08.

XI. FUTURE AGENDA ITEMS

- HR Recommendations
- Land Trust Resolutions
- Tsunami Siren

XII. ADJOURNMENT

Meeting ended at 8:25 pm.

Submitted by:

Gabriel Adams
City Clerk

Approved by:

Dwight Miller
Mayor